

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF       )  
TIDEWATER UTILITIES, INC. FOR A            )  
CERTIFICATE OF PUBLIC CONVENIENCE AND    )  
NECESSITY TO PROVIDE WATER SERVICES     ) PSC DOCKET NO. 17-1163  
PURSUANT TO 26 DEL. C. §203C               )  
("LANDS OF R&K PARTNERS")                 )  
(FILED NOVEMBER 29, 2017)                 )

**ORDER NO. 9185**

**AND NOW**, this 1<sup>st</sup> day of February, 2018, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on November 29, 2017, Tidewater Utilities, Inc. ("Tidewater") filed an application ("Application"), pursuant to 26 Del. C. §203C(e)(1)b.2, which seeks from the Commission a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations to provide water service to one parcel of land in Sussex County, Delaware, more specifically identified as Tax Map Parcel Number 335-12.05-4.00, and referred to as "Lands of R&K Partners" (the "Proposed Service Area"); and

**WHEREAS**, on January 16, 2018 in Order No. 9167, the Commission opened this docket and designated R. Campbell Hay as Hearing Examiner for this matter pursuant to the terms of 26 Del. C. §502 and 29 Del. C. ch.101 to schedule and conduct, upon due notice, such public comment sessions and evidentiary hearings, as may be necessary, to have a full and complete record concerning the justness and reasonableness of the proposed program; and

**WHEREAS**, Hearing Examiner Hay has recently resigned from his position with the Commission and will not be available to conclude the assignment designated in Order 9150.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. That Mark Lawrence is designated as Hearing Examiner for this matter pursuant to the terms of 26 Del. C. §502 and 29 Del. C. ch. 101 to continue the assigned responsibilities in this docket, as may be necessary, to have a full and complete record concerning the justness and reasonableness of the proposed program. Thereafter, Senior Hearing Examiner Lawrence shall file with the Commission his proposed findings and recommendations. Pursuant to Rule 2.1 of the Commission's Rules of Practice and Procedure, Senior Hearing Examiner Lawrence is specifically delegated the authority to grant or deny petitions seeking leave to intervene and for admission of counsel *pro hac vice*. In addition, Senior Hearing Examiner Lawrence is delegated the authority, under 26 Del. C. §102(A), to determine the form and manner of any further public notice in this matter.

2. The Commission Secretary shall promptly serve a copy of this Order on the Division of the Public Advocate.

3. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chair

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary